

AMENDED IN SENATE JUNE 4, 2007
AMENDED IN SENATE MAY 15, 2007
AMENDED IN SENATE MAY 1, 2007
AMENDED IN SENATE APRIL 11, 2007

SENATE BILL

No. 859

Introduced by Senator Scott

February 23, 2007

An act to amend Sections 44253.3 and 44253.4 of, ~~and to add Sections 44274.3, 44274.4, and 44300.1 to and 44274.4 to, and to add and repeal Section 44300.1 of,~~ the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

SB 859, as amended, Scott. Teacher credentialing: visiting faculty permits.

(1) Existing law authorizes the Commission on Teacher Credentialing to issue various types of teaching and services credentials, including preliminary and clear multiple and single subject teaching credentials. The commission is also authorized to issue emergency teaching and specialist permits that correspond to specified credential types. Statutory provisions specify the requirements with which applicants for those credentials and permits are required to comply.

This bill would, *until July 1, 2015*, authorize the commission to issue and renew visiting faculty permits that would be valid for one year and renewable ~~two~~ 2 times and authorize instruction in departmentalized classes to individuals who satisfy specified requirements, including having a minimum of 3 years of recent full-time teaching experience at or the full-time equivalent of that experience at an accredited California community college or a campus of the California State

University or the University of California. Before issuing a visiting faculty permit, the commission would be required to review and approve the justification for the permit submitted by the employing school district. The commission would be authorized to deny a request for a visiting faculty permit that does not include the requisite justification.

The commission would be required to issue 5-year preliminary single subject teaching credentials authorizing instruction in departmentalized classes to individuals who satisfy specified requirements, including possession of a visiting faculty permit and completion of a course in teaching methodology. These individuals would be eligible for professional clear single subject teaching credentials if they submit verification that they have completed individualized professional development plans that include mentoring, support, and assistance provided by a credentialed, experienced teacher and verification that addresses the health education requirement that other candidates for professional clear credentials must satisfy.

(2) Existing law requires the commission to issue certificates that authorize the holder to provide specified instructional services to English learners and sets forth the minimum requirements for those certificates, including, among others, possession of a valid California teaching credential, services credential, children's center instructional permit, or children's center supervision permit.

This bill would include possession of a visiting faculty permit within the credentials and permits that satisfy the minimum requirements for the issuance of a certificate that authorizes the provision of instructional services to English learners.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 44253.3 of the Education Code is
- 2 amended to read:
- 3 44253.3. (a) The commission shall issue a certificate that
- 4 authorizes the holder to provide all of the following services to
- 5 limited-English-proficient pupils:
- 6 (1) Instruction for English language development in preschool,
- 7 kindergarten, grades 1 to 12, inclusive, and classes organized
- 8 primarily for adults, except when the requirement specified in
- 9 paragraph (1) of subdivision (b) of Section 44253.3 is satisfied by

the possession of a children's center instructional permit pursuant to Sections 8363 and 44252.7, a children's center supervision permit pursuant to Section 8363, or a designated subjects teaching credential in adult education pursuant to Section 44260.2. If the requirement specified in paragraph (1) of subdivision (b) of Section 44253.3 is satisfied by the possession of a children's center instructional permit, or a children's center supervision permit, instruction for English language development is limited to the programs authorized by that permit. If the requirement specified in paragraph (1) of subdivision (b) of Section 44253.3 is satisfied by the possession of a designated subjects teaching credential in adult education, instruction for English language development is limited to classes organized primarily for adults.

(2) Specially designed content instruction delivered in English in the subjects and at the levels authorized by the teacher's prerequisite credential or permit used to satisfy the requirement specified in paragraph (1) of subdivision (b) of Section 44253.3.

(b) The minimum requirements for the certificate shall include all of the following:

(1) Possession of a valid California teaching credential, services credential, visiting faculty permit, children's center instructional permit, or children's center supervision permit which credential or permit authorizes the holder to provide instruction to pupils in preschool, kindergarten, any of grades 1 to 12, inclusive, or classes primarily organized for adults, except for any of the following:

- (A) Emergency credentials or permits.
- (B) Exchange credentials as specified in Section 44333.
- (C) District intern credentials as specified in Section 44325.
- (D) Sojourn certificated employee credentials as specified in Section 44856.
- (E) Teacher education internship credentials as specified in Article 3 (commencing with Section 44450) of Chapter 3.

(2) Passage of one or more examinations that the commission determines are necessary for demonstrating the knowledge and skills required for effective delivery of the services authorized by the certificate.

(3) Completion of at least six semester units, or nine quarter units, of coursework in a second language at a regionally accredited institution of postsecondary education. The commission shall establish minimum standards for scholarship in the required

1 coursework. The commission shall also establish alternative ways
2 in which the requirement can be satisfied by ~~language learning~~
3 *language learning* experience that creates an awareness of the
4 challenges of ~~second-language~~ *second language* acquisition and
5 development.

6 (c) Completion of coursework in human relations in accordance
7 with the commission's standards of program quality and
8 effectiveness that includes, at a minimum, instruction in the
9 following:

10 (1) The nature and content of culture.
11 (2) Crosscultural contact and interactions.
12 (3) Cultural diversity in the United States and California.
13 (4) Providing instruction responsive to the diversity of the pupil
14 population.

15 (5) Recognizing and responding to behavior related to bias based
16 on race, color, religion, nationality, country of origin, ancestry,
17 gender, disability, or sexual orientation.

18 (6) Techniques for the peaceful resolution of conflict.

19 (d) The commission shall establish alternative requirements for
20 a teacher to earn the certificate, which shall be awarded as a
21 supplementary authorization pursuant to subdivision (e) of Section
22 44225.

23 (e) A teacher who possesses a credential or permit described in
24 paragraph (1) of subdivision (b) and is able to present a valid
25 out-of-state credential or certificate that authorizes the instruction
26 of English language learners may qualify for the certificate issued
27 under this section by submitting an application and fee to the
28 commission.

29 (f) The certificate shall remain valid as long as the prerequisite
30 credential or permit specified in paragraph (1) of subdivision (b)
31 remains valid.

32 SEC. 2. Section 44253.4 of the Education Code is amended to
33 read:

34 44253.4. (a) The commission shall issue a certificate that
35 authorizes the holder to provide all of the following services to
36 limited-English-proficient pupils:

37 (1) Instruction for English language development in preschool,
38 kindergarten, grades 1 to 12, inclusive, and classes organized
39 primarily for adults, except when the requirement specified in
40 paragraph (1) of subdivision (b) ~~of this section~~ is satisfied by the

1 possession of a children's center instructional permit pursuant to
2 Sections 8363 and 44252.7, a children's center supervision permit
3 pursuant to Section 8363, or a designated subjects teaching
4 credential in adult education pursuant to Section 44260.2. If the
5 requirement specified in paragraph (1) of subdivision (b) ~~of this~~
6 ~~section~~ is satisfied by the possession of a children's center
7 instructional permit, or a children's center supervision permit, then
8 instruction for English language development shall be limited to
9 the programs authorized by that permit. If the requirement specified
10 in paragraph (1) of subdivision (b) ~~of this section~~ is satisfied by
11 the possession of a designated subjects teaching credential in adult
12 education, then instruction for English language development shall
13 be limited to classes organized primarily for adults.

14 (2) Specially designed content instruction delivered in English
15 in the subjects and at the levels authorized by the teacher's
16 prerequisite credential or permit used to satisfy the requirement
17 specified in paragraph (1) of subdivision (b) ~~of Section 44253.4~~.

18 (3) Content instruction delivered in the pupil's primary language
19 in the subjects and at the levels authorized by the teacher's
20 prerequisite credential or permit used to satisfy the requirement
21 specified in paragraph (1) of subdivision (b) ~~of Section 44253.4~~.

22 (4) Instruction for primary language development in preschool,
23 kindergarten, grades 1 to 12, inclusive, and classes organized
24 primarily for adults, except when the requirement specified in
25 paragraph (1) of subdivision (b) ~~of Section 44253.4~~ is satisfied by
26 the possession of a children's center instructional permit, a
27 children's center supervision permit, or a designated subjects
28 teaching credential in adult education. If the requirement specified
29 in paragraph (1) of subdivision (b) ~~of Section 44253.4~~ is satisfied
30 by the possession of a children's center instructional permit or a
31 children's center supervision permit, then instruction for primary
32 language development is limited to the programs authorized by
33 that permit. If the requirement specified in paragraph (1) of
34 subdivision (b) ~~of Section 44253.4~~ is satisfied by the possession
35 of a designated subjects teaching credential in adult education,
36 then instruction for primary language development is limited to
37 classes organized primarily for adults.

38 (b) The minimum requirements for the certificate shall include
39 all of the following:

(1) Possession of a valid California teaching credential, services credential, visiting faculty permit, children's center instructional permit, or children's center supervision permit which credential or permit authorizes the holder to provide instruction to pupils in preschool, kindergarten, any of grades 1 to 12, inclusive, or classes primarily organized for adults, except for the following:

- (A) Emergency credentials or permits.
- (B) Exchange credentials as specified in Section 44333.
- (C) District intern certificates as specified in Section 44325.
- (D) Sojourn certificated employee credentials as specified in Section 44856.
- (E) Teacher education internship credentials as specified in Article 3 (commencing with Section 44450) of Chapter 3.

(2) Passage of one or more examinations that the commission determines are necessary for demonstrating the knowledge and skills required for effective delivery of the services authorized by the certificate.

(c) To earn the certificate, teachers who hold the certificate described in Section 44253.3, or in Article 3.5 (commencing with Section 44475) of Chapter 3, as that section and that article existed on December 31, 1992, shall not be required to pass examinations that primarily assess the skills and knowledge necessary for effective delivery of the services authorized by the certificates they possess.

(d) The certificate shall remain valid as long as the prerequisite credential or permit specified in paragraph (1) of subdivision (b) of ~~Section 44253.4~~ remains valid.

(e) The commission shall initially issue certificates for languages spoken by the largest numbers of limited-English-proficient pupils for which there are reasonable numbers of teachers or potential teachers who speak those languages. The commission shall explore alternative ways to make certificates available for other languages.

SEC. 3. Section 44274.3 is added to the Education Code, to read:

44274.3. (a) Notwithstanding any other provision of this chapter, the commission shall issue a five-year preliminary single subject teaching credential authorizing instruction in departmentalized classes to an individual who satisfies all of the following requirements:

1 (1) Possesses a valid visiting faculty permit issued pursuant to
2 Section 44300.1.

3 (2) Submits evidence of two years of recent satisfactory or better
4 performance evaluations while teaching pursuant to a visiting
5 faculty permit.

6 (3) Satisfies the standards and requirements regarding the
7 instruction of English language learners pursuant to subdivision
8 (c) of Section 44259.5.

9 (4) Completes a three semester unit course or a four quarter unit
10 course in methodology directly related to teaching in a
11 departmentalized setting offered by a teacher preparation program
12 that is accredited by the commission.

13 (b) An applicant for a credential pursuant to this section is
14 exempt from the basic skills proficiency requirement in Section
15 44252.

16 SEC. 4. Section 44274.4 is added to the Education Code, to
17 read:

18 44274.4. Notwithstanding any other provision of this chapter,
19 the commission shall issue a five-year professional clear single
20 subject teaching credential authorizing instruction in
21 departmentalized classes to an individual who satisfies all of the
22 following requirements:

23 (a) Possesses a valid preliminary single subject teaching
24 credential issued pursuant to Section 44274.3.

25 (b) Submits verification by the employing school district that
26 the individual has completed an individualized professional
27 development plan tailored to the needs of the individual teacher
28 and the district that includes mentoring, support, and assistance
29 provided by a credentialed, experienced teacher who teaches the
30 same subject as the applicant. The individualized professional
31 development plan shall include instruction and information about
32 the appropriate academic content standards and curriculum
33 frameworks to enable candidates to provide standards-based
34 instruction and shall also include instruction on working with
35 special populations. For purposes of satisfying the requirements
36 of this section, an applicant may complete a beginning teacher
37 induction program as described in paragraph (2) of subdivision
38 (c) of Section 44259.

(c) Submits verification of experience that addresses subparagraph (A) of paragraph (4) of subdivision (c) of Section 44259.

SEC. 5. Section 44300.1 is added to the Education Code, to read:

44300.1. (a) The commission may issue or renew a visiting faculty permit authorizing instruction in departmentalized classes to an individual who satisfies all of the following requirements:

(1) Has a minimum of three years of recent full-time teaching experience or the full-time equivalent of that experience at an accredited California community college or a campus of the California State University or the University of California.

(2) Possesses a master's degree or higher from a regionally accredited institution of postsecondary education in a subject area closely related to the subject he or she proposes to teach.

(3) Submits evidence of two years of recent rigorous performance evaluations while teaching in an accredited California community college *or a campus of the California State University or the University of California* in which the applicant received ratings of satisfactory or higher based on criteria determined by the commission. An applicant for the renewal of a visiting faculty permit shall submit evidence of satisfactory or higher performance evaluations while serving on a current, valid visiting faculty permit.

(4) Satisfies the requirements for teacher fitness pursuant to Sections 44339 to 44341, inclusive.

(b) Prior to issuing a visiting faculty permit, the commission shall review and approve the justification for the permit submitted by the employing school district. The justification shall include both of the following:

(1) Annual documentation that the school district has implemented a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, and participating in job fairs in this state, but has been unable to recruit a sufficient number of certificated teachers to teach the subject matter that the visiting faculty member proposes to teach.

(2) A declaration of need for fully qualified certificated teachers based on the documentation set forth in paragraph (1) and made in the form of a motion adopted by the governing board of the

1 school district or the county board of education at a regularly
2 scheduled meeting of the governing board or county board. The
3 motion shall not be part of the consent agenda and shall be entered
4 in the minutes of the meeting.

5 (c) The commission may deny a request for a visiting faculty
6 permit that does not include a justification as set forth in
7 subdivision (b).

8 (d) A visiting faculty permit is valid for one year. The
9 commission shall not renew the visiting faculty permit of an
10 individual more than two times.

11 (e) *Notwithstanding any other provision of law, the commission*
12 *shall not issue a visiting faculty permit pursuant to this section on*
13 *or after July 1, 2013.*

14 (f) *The commission shall incorporate data on visiting faculty*
15 *permits into the report required pursuant to Section 44225.6. It is*
16 *the intent of the Legislature that this data be used to determine if*
17 *participation rates warrant extending the authority of the*
18 *commission to issue visiting faculty permits.*

19 (g) *This section shall become inoperative on July 1, 2015, and,*
20 *as of January 1, 2016, is repealed, unless a later enacted statute,*
21 *that becomes operative on or before January 1, 2016, deletes or*
22 *extends the dates on which it becomes inoperative and is repealed.*